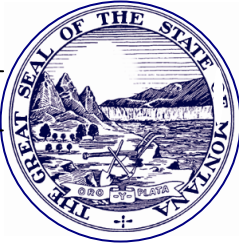


# MONTANA PUBLIC DEFENDER COMMISSION



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## STATE OF MONTANA

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December 3, 2009

Timm Twardoski  
Executive Director  
AFSME  
36 Last Chance Gulch, Suite 11  
Helena, Montana 59801

Dear Timm:

First, thank you for your guidance and participation in the meeting that was held on October 15<sup>th</sup> with full-time employees and contract lawyers. When I forwarded the invitation to full-time of the Public Defender system, I was unaware that, as general rule, support staff did not attend the annual meeting. In response to my invitation to attend and my invitation to send comments directly to me prior to the October 15<sup>th</sup> I received emails from support staff, both positive and negative, and also receive emails expressing a concern that they would not have a voice in the meeting on October 15<sup>th</sup>. As you know, no support staff attended the October 15<sup>th</sup> meeting.

I found the meeting informative. We were able to hear directly from the FTE's what we were doing right, what we were doing wrong, and what the FTE's would like to see to correct what is perceived as a communications problem between FTE's and the Public Defender Commission. It is my understanding that all support staff FTEs other than those working in the Appellate Defenders office, are members of your union. It is also my understanding that there is an executive

board for attorney FTEs and a separate executive board for FTEs who are support staff or investigators.

The attorney FTE's who were present at the October 15<sup>th</sup> meeting proposed some form of ad hoc participation in commission meetings and deliberations. The investigators present in the October 15<sup>th</sup> also seemed to favor that process.

I would like to seek comments and suggestions from support staff FTEs in some form prior to the Commission meeting on December 18<sup>th</sup> in Helena. It would be very difficult for me and my staff to single-handedly coordinate seeking further input from the support staff FTEs. Accordingly, I am seeking your help. I am open to suggestions on how to proceed. Possible avenues would include having a Commission member from each region meet with the support staff FTEs from that region or setting up a state-wide video conference with Commission members and support staff FTEs. Please contact your support staff union members at your earliest convenience. Please ask them how they would like to proceed.

I will ask the staff at the Office of State Public Defender to post this letter to the OPD website along with other correspondence relating to the Public Defender Commission meeting held on October 14<sup>th</sup> and the Commission's meeting with attorney and investigator FTE's held on October 15<sup>th</sup>.

Thank you for your attention to this letter.

Sincerely yours,

**MICHAEL J. SHERWOOD**  
Public Defender Commission, Chairman